

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE, NORTHEASTERN DIVISION**

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**DANNY G. AKERS and  
BARBARA ANN AKERS,**

**Plaintiffs,**

**v.**

**CASE NO:  
JURY DEMANDED**

**ALLSTATE PROPERTY AND CASUALTY  
INSURANCE COMPANY and ALLSTATE  
INSURANCE COMPANY,**

**Defendants.**

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**NOTICE FOR REMOVAL OF CIVIL ACTION**

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TO THE HONORABLE JUDGES OF THE U.S. DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE:

COMES NOW Allstate Property and Casualty Insurance Company and Allstate Insurance Company, (hereinafter "Allstate"), by its undersigned attorney, and respectfully shows this Court as follows:

1. Allstate is a defendant in the above entitled action.
2. On February 11, 2014, the Plaintiffs, Danny G. Akers and Barbara Ann Akers commenced the above entitled action against the Defendants, Allstate Property and Casualty Insurance Company and Allstate Insurance Company, in the Circuit Court for Carter County, Tennessee. Attached hereto as Exhibit A is a copy of the Complaint and Service of Process.
3. There have been no proceedings since the filing of the Complaint.

4. The above entitled action is a civil action for insurance proceeds brought by Danny G. Akers and Barbara Ann Akers. This claim is a result of a fire loss, which occurred on or about July 5, 2010 in Carter County, Tennessee, as more fully appears in the Complaint attached hereto.

5. This Court has original jurisdiction of the above entitled action pursuant to 28 U.S.C. §1332 since diversity of citizenship exists between the parties, and since Defendant, Allstate, is not a citizen or a resident of the State of Tennessee, wherein the above entitled action is pending, removal of this action to this Court is proper pursuant to 28 U.S.C. §1441 (a), (b).

6. This petition is filed with this court within thirty (30) days after receipt of the summons and Complaint filed by the Plaintiff. Allstate was served on February 18, 2014.

WHEREFORE, PETITIONER PRAYS, that the above entitled action be removed from the Circuit Court of Carter County, Tennessee, to this Court and that Allstate be afforded a trial by jury.

Respectfully submitted this 13<sup>th</sup> day of March,  
2014,

WALDROP & NEARN, P.C.

s/ David M. Waldrop  
David M. Waldrop #13079  
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Casualty Insurance Company and  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon J. Collins Landstreet II, Esq., Attorney for Plaintiffs, 404 East Watauga Avenue, Johnson City, TN 37601, by placing the same in the U.S. Mail, postage prepaid, this 13th day of March, 2014.

s/ David M. Waldrop \_\_\_\_\_  
David M. Waldrop